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6 Attorney for ARMANDO HILARINO ACEVEDO

7
8 **UNITED STATES DISTRICT COURT**
9 **DISTRICT OF NEVADA**

10 UNITED STATES OF AMERICA,
11
12 Plaintiff,
13
14 v.
15 ARMANDO HILARINO ACEVEDO,
16 Defendant.

Case No. 2:18-mj-00043-PAL-1

**STIPULATION TO CONTINUE
BENCH TRIAL DATE**
(Second Request)

17
18 IT IS HEREBY STIPULATED AND AGREED, by and between Dayle Elieson, United
19 States Attorney, and Chad McHenry, Assistant United States Attorney, counsel for the United
20 States of America, and Rene L. Valladares, Federal Public Defender, and Monique Kirtley,
21 Assistant Federal Public Defender, counsel for Armando Hilarino Acevedo, that the Bench Trial
22 currently scheduled for Wednesday, May 23, 2018 at 8:45 a.m., be vacated and set to a date and
23 time convenient to this court but no sooner than fourteen (14) days.

24 The Stipulation is entered into for the following reasons:

- 25 1. Parties have reached an agreement but need additional time to formalize in
26 writing.
2. The defendant is not in custody and does not oppose the continuance.

1 3. Additionally, denial of this request for continuance could result in a miscarriage
2 of justice. The additional time requested by this stipulation is excludable in computing the time
3 within which the trial herein must commence pursuant to the Speedy Trial Act, § 3161(h)(7)(A),
4 considering the factors under Title 18, United States Code §§ 3161(h)(7)(B).

5 This is the second stipulation to continue filed herein.

6 DATED this 22nd day of May, 2018.

7
8 RENE L. VALLADARES
9 Federal Public Defender

DAYLE ELIESON
United States Attorney

10 /s/ *Monique Kirtley*
By _____

/s/ *Chad McHenry*
By _____

11 MONIQUE KIRTLEY
12 Assistant Federal Public Defender
13 Counsel for ARMANDO HILARINO
14 ACEVEDO

CHAD MCHENRY
Assistant United States Attorney

1 **UNITED STATES DISTRICT COURT**
2 **DISTRICT OF NEVADA**

3 UNITED STATES OF AMERICA,
4 Plaintiff,
5 v.
6 ARMANDO HILARINO ACEVEDO,
7 DEFENDANT.
8

Case No. 2:18-mj-00043-PAL-1
FINDINGS OF FACT,
CONCLUSIONS OF LAW AND
ORDER

9 **FINDINGS OF FACT**

10 Based on the pending Stipulation of counsel, and good cause appearing therefore, the
11 Court finds that:

- 12 1. Parties have reached an agreement but need additional time to formalize in
13 writing.
14 2. The defendant is not in custody and does not oppose the continuance.
15 3. Additionally, denial of this request for continuance could result in a miscarriage
16 of justice. The additional time requested by this stipulation is excludable in computing the time
17 within which the trial herein must commence pursuant to the Speedy Trial Act, § 3161(h)(7)(A),
18 considering the factors under Title 18, United States Code §§ 3161(h)(7)(B).
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The continuance sought herein is excusable under the Speedy Trial Act, title 18, United States Code, Section § 3161 (h)(7)(A), when the considering the factors under Title 18, United States Code, § 3161(h)(7)(B)(i), (iv).

IT IS THEREFORE ORDERED that the Bench Trial currently scheduled for Wednesday, May 23, 2018 at 8:45a.m., be vacated and continued to August 8, 2018, at the hour of 8:45 a.m._____.

Tygg A. Teer
UNITED STATES MAGISTRATE JUDGE